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Attorneys for Defendant
WAVEMARKET, INC.,
D/B/A LOCATION LABS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CALLWAVE COMMUNICATIONS, LLC,

Plaintiff,

v.

WAVEMARKET, INC. D/B/A
LOCATION LABS,

Defendant.

Case No. 4:14-mc-80112-JSW-LB

Principal Case Pending in the
Delaware District Court
Civil Action No. 12-cv-1701-RGA,
Associated Case Nos. 12-cv-1702-RGA,
12-cv-1703-RGA

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL WITH
PREJUDICE**

1 Plaintiff Callwave Communications, LLC ("Callwave") has sued AT&T, Sprint and T-
2 Mobile (the "Carrier Defendants"), three of Location Labs' customers, in the United States
3 District Court for the District of Delaware for patent infringement in the actions entitled
4 *Callwave Communications LLC v. AT&T Mobility, LLC, et al.*, C.A. No. 12-1701-RGA,
5 *Callwave Communications LLC v. Sprint Spectrum L.P., Sprint Communications Company L.P.*
6 *and Google Inc.*, C.A. No. 12-1702-RGA, *Callwave Communications LLC v. T-Mobile USA,*
7 *Inc., et al.*, C.A. No. 12-1703-RGA (hereinafter referred to as the "Litigations").

8 In each of the Litigations, CallWave asserted claims for patent infringement (a) of U.S.
9 Patent No. 6,771,970 ("the '970 patent") against Sprint, AT&T and T-Mobile ("the '970 Track");
10 of U.S. Patent No. 7,907,933 ("the '933 Patent") against Sprint, AT&T and T-Mobile ("the '933
11 Track"); of U.S. Patent Nos. 8,325,901; 7,636,428; 7,822,188; and, 8,064,588 (the "Call
12 Processing Patents") against Sprint (the "Call Processing Track").

13 In connection with the '970 Track of the Litigations, Callwave issued a Subpoena to
14 Defendant Wavemarket, Inc., d/b/a Location Labs ("Location Labs") which is the subject of the
15 action before this Court..

16 Callwave and the Carrier Defendants have stipulated to the dismissal of the '970 Track of
17 the Litigations, rendering the action before this Court related to Callwave's subpoena to Location
18 Labs moot.

19 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties hereby stipulate
20 that this action shall be DISMISSED in its entirety WITH PREJUDICE.

21 Each side shall bear its own fees and costs.

22 IT IS SO STIPULATED.

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Respectfully submitted,

Dated: May 27, 2015

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CALLWAVE COMMUNICATIONS, LLC

IT IS SO ORDERED:

Date: May 29, 2015



Honorable Laurel Beeler
United States Magistrate Judge